IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 17TH NOVEMBER 2006 / 26TH KARTHIKA 1928

WP(C).No. 30334 of 2006(J)

PETITIONER: 1

M.SIMON, S/O.EDWARD M,. AGED 59,
RTD. BUILDING INSPECTOR OF MUVATTUPPUZHA
MUNICIPALITY, RESIDING AT MUTHIRAVALAPPIL
HOUSE, 13/150, JAWAHAR ROAD, ALUVA,
ERNAKULAM. DISTRICT.

BY ADV. SRI.MAJNU KOMATH
SRI.SHAHIN.M.KOMATH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT, LOCAL SELF GOVERNMENT
DEPARTMENT(MUNICIPALITIES), SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF URBAN AFFAIRS
(MUNICIPAL)DEPARTMENT, THIRUVANANTHAPURAM.

3. THE REGIONAL JOINT DIRECTOR OF THE
URBAN AFFAIRS (MUNICIPAL) DEPARTMENT,
SHANMUGHAM ROAD, ERNAKULAM.

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J

W.P.(C)NO. 30334 of 2006

Dated this the 17th day of November, 2006

JUDGMENT

The petitioner, while working as Building Inspector in the Local Self Government Department, retired from service on 30.9.2002. According to him, there is a subsisting grievance which remains ignored by the respondents. The grievance relates to the non-consideration of his claim for time bound higher grade on completion of 23 years of service. According to the petitioner, he is eligible to get the higher pay in the concerned pay scale with effect from 28.10.1998 whereas the respondents granted that benefit only from 4.8.2001. According to the petitioner, persons similarly situated like him are enjoying the benefit of third higher grade with effect from 28.10.1998 whereas in the case of the petitioner that benefit stands denied. The higher pay scale is granted only prospectively.

2. Ext.P13 representation filed by the petitioner before the second respondent seeking to redress his grievance needs to be looked into and appropriate decision taken.

3. In the circumstances, there shall be an order directing the second respondent to consider Ext.P13 in the light of Exts.P11 and P12 and the service particulars of the petitioner and pass orders, as

early as possible, in any event within two months on the petitioner producing a copy of the judgment along with a copy of the writ petition before the second respondent.

Writ Petition is disposed of with the above directions.

K.K.DENESAN, JUDGE

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